

EXHIBIT

39

DEIA Related Statutory and Regulatory Obligations

Legal Obligations	Statutory and Regulatory Provisions	Examples of Plaintiffs' Activities to Satisfy Legal Obligations	Am. Compl. Citations
Support for Dual Language Learners & Limited English Proficiency	<p><u>42 U.S.C. § 9836a(a)(2)</u> Agencies must provide “linguistically and culturally appropriate” services that foster children’s learning and development.</p>	<ul style="list-style-type: none"> Washington HSA members aim to hire, train, and develop staff who are both culturally and linguistically competent. For example, a Washington HSA member provides services to families who speak 46 different languages. These families require intensive language support ranging from individualized learning plans to hiring interpreters to speak with parents. 	Section II.B. ¶ 96
	<p><u>45 C.F.R. §§ 1302.30, 1302.90</u> Agencies must implement policies and practices that support the unique learning needs of children with limited English proficiency and dual language learners.</p>		Section II.A. ¶ 87
	<p><u>45 C.F.R. § 1302.92</u> Agencies must provide specific training for staff who work with dual language learners.</p>		Section II.B. ¶ 98
		<ul style="list-style-type: none"> Members of Illinois HSA prioritize dual language services in the classroom Pennsylvania HSA members recruit staff who speak the languages of the children and families served, provide language learning courses for families, provide program materials in both English and the children's home language. Wisconsin HSA members offer tailored programs and services for immigrant and refugee communities who have limited 	Section II.B. ¶ 94

[illegible]

Legal Obligations	Statutory and Regulatory Provisions	Examples of Plaintiffs' Activities to Satisfy Legal Obligations	Am. Compl. Citations
	MSHS agencies provide tailored services for program participants, including language preservation services, culturally integrated learning plans, and professional staff development.	their mostly Spanish-speaking students.	
Culturally Appropriate Engagement of Families	<p><u>45 C.F.R. § 1302.50</u> Agencies must “create welcoming program environments that incorporate the unique cultural, ethnic, and linguistic backgrounds of families in the program and community.” They must also “[c]onduct family engagement services in the family’s preferred language, or through an interpreter, to the extent possible, and ensure families have the opportunity to share personal information in an environment in which they feel safe.”</p> <p><u>42 U.S.C. §§ 9837(4)-(5)</u> Agencies must offer parents of participating children a variety of services and programs, including, but not limited to, family literacy services, parenting skills training, substance abuse counseling, family needs assessments and consultations “in a manner and language that such parents can understand,” and referrals to available assistance.</p>	<ul style="list-style-type: none"> • Illinois HSA members collaborate closely with families to understand their unique needs, values, and goals. They host multicultural events and invite families to share their customs, languages, and experiences with the children and staff, and they provide books, literacy materials, and family communications in multiple languages reflective of enrolled families, including simultaneous translation services at parent meetings to help break down barriers to full family engagement for limited English speakers. • Wisconsin HSA members support their diverse families through community engagement, resources and referral. 	<p>Section II.F. ¶ 137</p> <p>Section II.F. ¶ 138</p>

Legal Obligations	Statutory and Regulatory Provisions	Examples of Plaintiffs' Activities to Satisfy Legal Obligations	Am. Compl. Citations
	<p><u>42 U.S.C. § 9837(11)</u> Agencies must provide “parents of limited English proficient children outreach and information, in an understandable format and, to the extent practicable, in a language that the parents can understand.”</p>		
Training on Cultural Competence	<p><u>42 U.S.C. § 9843(d)(2)</u> Head Start teachers must receive training to serve children in a “developmentally, culturally, and linguistically appropriate manner.” This includes training on “specific methods to best address the needs of children who are limited English proficient” and “how to best address the language and literacy needs of children with disabilities, including training on how to work with specialists in language development.”</p> <p><u>42 U.S.C. § 9843(c)</u> HHS must develop and implement recruitment policies that encourage “professionals from diverse backgrounds to become Head Start teachers.”</p> <p><u>42 U.S.C. § 9832(21)</u></p>	<ul style="list-style-type: none"> • Washington HSA members recruit staff specifically to address multi-lingual needs as well as needs for culturally competent staff to provide appropriate services. • Illinois HSA members provide regular staff training to reduce bias and improve equitable access to all Head Start services • Illinois HSA members also adhere to Program Standards of Conduct, which require staff, consultants, contractors, and volunteers to respect and promote the unique identity of each child and family. Illinois HSA members also recruit staff who are members and representative of the local 	<p>Section II.E. ¶ 124</p> <p>Section II.B. ¶ 97</p> <p>Section II.E. ¶ 125</p>

Legal Obligations	Statutory and Regulatory Provisions	Examples of Plaintiffs' Activities to Satisfy Legal Obligations	Am. Compl. Citations
	<p>HHS must provide their staff “professional development” which includes training “to provide instruction and appropriate support services to children of diverse backgrounds.”</p> <p><u>42 U.S.C. § 9843</u> HHS must provide funding to support “training and technical assistance” (“TTA”) for Head Start staff “working with children and families, including children and families who are limited English proficient and children with disabilities and their families.”</p> <p><u>45 C.F.R. § 1302.90(d)(1)</u> Agencies must “ensure staff and program consultants or contractors are familiar with the ethnic backgrounds and heritages of families in the program and are able to serve and effectively communicate, either directly or through interpretation and translation, with children who are dual language learners and to the extent feasible, with families with limited English proficiency.”</p> <p><u>45 C.F.R. § 1302.90(d)(2)</u> If a majority of children in a class or home-based program speak the same language, the agency must ensure that at</p>	<p>communities served, and ongoing professional development emphasizes cultural competence, anti-bias education, and understanding implicit bias so that staff can best serve the children in their classrooms.</p> <ul style="list-style-type: none"> • Pennsylvania HSA members train staff to ensure they are able to be responsive and inclusive to the language and culture of the people they serve. • Wisconsin HSA members require all staff to be trained to build understanding, reduce unconscious bias, and strengthen inclusive classroom practices, including through trainings on Head Start approved Multi-Cultural principles and the Parent Family Community Engagement (“PFCE”) framework. 	<p>Section II.B. ¶ 98</p> <p>Section II.B. ¶ 95</p>

Legal Obligations	Statutory and Regulatory Provisions	Examples of Plaintiffs' Activities to Satisfy Legal Obligations	Am. Compl. Citations
	least one class staff member or home visitor must speak such language.		
Father-Focused Activities	<p><u>42 U.S.C. § 9836(d)(2)(J)(vii)</u> Agencies must “extend outreach to fathers” and “target[] increased male participation in the conduct of the program.”</p>	<ul style="list-style-type: none"> • Some Washington HSA members conduct regular “father engagement nights” that provide family activities for fathers to engage in with their children for positive relationship building, such as carnival games or sports activities. Washington HSA members also organize “father affinity groups” that provide Head Start fathers with supportive community amongst their peers. • Until recently, Illinois HSA members offered initiative focused on school-readiness for Black boys (which has recently been discontinued); English language learning and job placement resources for immigrant parents; on-site health clinics and food pantries; and regular staff training to reduce bias and improve equitable access to all Head Start services • Pennsylvania HSA members organize programs aimed at 	<p>Section II.F. ¶ 135</p> <p>Section II.B. ¶ 97</p> <p>Section II.F. ¶ 136</p>

Legal Obligations	Statutory and Regulatory Provisions	Examples of Plaintiffs' Activities to Satisfy Legal Obligations	Am. Compl. Citations
		strengthening father and child bonds. Members also increase male participation in Head Start by expanding events and activities to include father figures in addition to biological fathers.	
Prioritizing Children Experiencing Homelessness and Children within Foster Care	<p><u>42 U.S.C. § 9840(a); 45 C.F.R. § 1302.12</u> Children experiencing homelessness and children in foster care are automatically eligible for Head Start programs.</p> <p><u>45 C.F.R. § 1302.15(c)</u> Agencies may temporarily reserve up to 3 percent of their funded enrollment slots for children experiencing homelessness and children in foster care.</p> <p><u>45 C.F.R. § 1302.15(b)(3), 1302.16(c)</u> Agencies must make efforts to maintain an unhoused child's enrollment regardless of whether the family or child moves to a different service area.</p> <p><u>45 C.F.R. § 1302.72(a)</u> Agencies must support unhoused children as they transition to other Head Start agencies.</p> <p><u>42 U.S.C. § 9837a(a); 45 C.F.R. § 1302.53(a)(2)</u></p>	<ul style="list-style-type: none"> Washington HSA members conduct focused recruiting for children and families experiencing homelessness. Members that provide services to children experiencing homelessness use an intensive case management model to provide holistic social services for the child and their family—including housing assistance, counseling, and employment support. Illinois HSA members ensure that children experiencing homelessness are enrolled without delay, and without requiring onerous documentation. They provide transportation services, clothing, hygiene supplies, and food, as well as referrals to other resources. 	<p>Section II.D ¶ 115</p> <p>Section II.D ¶ 116</p>

Legal Obligations	Statutory and Regulatory Provisions	Examples of Plaintiffs' Activities to Satisfy Legal Obligations	Am. Compl. Citations
	<p>Head Start agencies must coordinate with local agencies designated under the McKinney-Vento Homeless Assistance Act, 42 U.S.C. § 11301 <i>et seq.</i>, to develop and implement family outreach agencies, create plans to ensure the continuity of services and effective transitions, and provide ongoing channels of communication between Head Start staff and local educational agencies' liaisons for children experiencing homelessness.</p> <p><u>42 U.S.C. § 9843(a)(3)(B)</u> With respect to TTA funds, HHS must assist Head Start agencies in improving their outreach and quality of services to children and families experiencing homelessness.</p> <p><u>42 U.S.C. § 9840A(g)(2)(A)</u> Early Head Start agencies may use TTA funds to “creat[e] special training and technical assistance initiatives targeted to serving high-risk populations, such as children in the child welfare system and homeless children.”</p>	<ul style="list-style-type: none"> • Pennsylvania HSA members create strong relationships with community organizations that provide shelter and homeless care, refer families to those organizations, and provide transportation support for families to give them the opportunity to commute to Head Start programs that fit their needs even if they live in a different service area. • Wisconsin HSA members recruit for enrollment in homeless shelters. One member has developed relationships with local landlords to attempt to help transition families to more stable housing. 	<p>Section II.D ¶ 117</p> <p>Section II.D ¶ 114</p>
<p>Meeting the Needs of Children with Disabilities</p>	<p><u>42 U.S.C. § 9835(d)(1), 45 C.F.R. § 1302.14(b)</u></p>	<ul style="list-style-type: none"> • Washington HSA provides professional development specifically geared towards providing inclusive learning for 	<p>Section II.C ¶ 105</p>

Legal Obligations	Statutory and Regulatory Provisions	Examples of Plaintiffs' Activities to Satisfy Legal Obligations	Am. Compl. Citations
	<p>Agencies must ensure that at least 10% of their total enrollment is filled by children with disabilities.</p> <p><u>29 U.S.C. § 794</u> Section 504 of the Rehabilitation Act requires agencies to provide individualized services and supports (to the maximum extent possible) to meet the needs of children with disabilities.</p> <p><u>45 C.F.R. § 1302.14(a)(5)</u> Agencies must ensure that a child with a “disability or chronic health condition or its severity” has equal access to program’s services as other children.</p> <p><u>45 C.F.R. §§ 1302.61, 1303.75(a)</u> Agencies must create inclusive and accessible classrooms for children with disabilities.</p> <p><u>45 C.F.R. §§ 1302.45(a)–(b), 1302.46</u> Agencies must use a multi-disciplinary approach that promotes “mental health, social and emotional well-being,” provide ongoing mental health consultation, and build community partnerships to facilitate additional mental health resources.</p> <p><u>45 C.F.R. § 1302.92</u></p>	<p>children with disabilities. Some Washington HSA members provide inclusive learning classrooms in which children on IEPs learn alongside their peers.</p> <ul style="list-style-type: none"> • Illinois HSA members have fully inclusive classrooms and provide individualized services to children with disabilities in partnership with families and local education agencies. They utilize a strength-based approach to identify and support developmental needs early, and work with specialists to develop and implement IEPs or Individualized Family Service Plans (“IFSPs”). • Pennsylvania HSA members place trained specialists in classrooms to assist both children and agency staff with supporting children with disabilities. • Wisconsin HSA members tailor classrooms to the needs of their students with disabilities, and their respective IEPs, including purchasing materials (<i>e.g.</i>, special sensory toys) create visuals, and 	<p>Section II.C ¶ 106</p> <p>Section II.C ¶ 107</p> <p>Section II.C ¶ 104</p>

Legal Obligations	Statutory and Regulatory Provisions	Examples of Plaintiffs' Activities to Satisfy Legal Obligations	Am. Compl. Citations
	Agencies must provide specific training for staff who work with children with disabilities.	physically modify facilities for accessibility and safety (<i>e.g.</i> , for autistic children). Wisconsin HSA members also provide training to special education and other teachers to ensure they understand how to carry out IEPs.	